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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/646,802	10/17/2000	Petteri Putkiranta	P3439US00	1591
30671 7590 05/13/2010 DITTHAVONG MORI & STEINER, P.C. 918 Prince Street Alexandria, VA 22314				
EXAMINER HO, HUY C				
ART UNIT 2617		PAPER NUMBER		
NOTIFICATION DATE 05/13/2010		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

[docket@dcpatent.com](mailto:docket@dcpatent.com)

### Office Action Summary

**Application No.**

09/646,802

**Applicant(s)**

PUTKIRANTA, PETTERI

**Examiner**

HUY C. HO

**Art Unit**

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 March 2010.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5-24 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 5-12, 15-19 and 22 is/are rejected.  
7) ☒ Claim(s) 13, 14, 20, 21, 23 and 24 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 22 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/01/2010 has been entered.

### *Claim Objections*

2. Claims 13-14, 20-21, 23 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### *Response to Arguments*

3. Applicant's arguments with respect to claims 5-12, 15-19 and 22 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 7-12, 15-19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buhrmann et al. (5,950,125) and further in view of Lee et al. (US Patent No. 5,974,328).

Consider claim 5, (Currently Amended) Buhrmann discloses an apparatus (*Buhrmann, the abstract*), comprising:

at least one processor (*Buhrmann, col 7 lines 1-15, a cellular phone comprising a processor*);  
and

at least one memory including computer program code, the at least one memory and the computer program code configured to, with the at least one processor (*Buhrmann, col 7 lines 7-54, a cellular phone*), cause the apparatus to perform at least the following:

roaming in cells of a cellular radio network and the apparatus has detected that it is in a localized service area defined independently from cells (*Buhrmann, figures 1-4A, col 7 lines 1-67, col 8 lines 1-67, a mobile phone roaming across different user zones providing various featured services desirable to the owner's mobile phone, the services are stored in network database storage in different categories in the service profile database for respective user zones*).

base station covering the localized service area (*Buhrmann, figures 1-3, col 7 lines 1-67, col 8 lines 1-67*); and

receive a service selection localized based upon the localized service area and offered to the apparatus by a communications system including the base station (*Buhrmann, figures 1-3, col 7 lines 1-67, col 8 lines 1-67*).

Buhrmann does not teach the apparatus generates a message that is distinct from location updates performed by a GPS receiver when roaming. Lee teaches a roaming mobile phone storing databases of preferred channel systems in its memory, when it roams between systems, the mobile phone identifies its own location by comparing the location with stored information to identify a preferred system for the location then the network system providing preferred channels selections for the mobile phone to use in the corresponding location (*see Lee, col 1 lines 50-60, col 2 lines 23-35, col 3 lines 5-25, col 6 lines 4-40*), thus Lee discloses an apparatus generates a message that is distinct from

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location updates performed be a GPS receiver when roaming. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Buhrmann by incorporating teachings of Lee about a mobile phone roaming between systems and actively identifying its own current location for associating with its pre-stored preferred systems in its memory so when the mobile phone arrives in the location, the network provides it with its preferred channel system for communication, and this provides fast system access and registration for mobile phones when roaming in different areas in the network because the preferred system has been identified before the mobile phone originates a call by determining a location comparing with the database stored in the phone's memory (*see Lee, the abstract, col 1 lines 1-67, col 2 lines 1-35*).

**Consider claim 7, (Currently Amended)** Buhrmann discloses a method comprising:

the mobile station is roaming in cells of a cellular radio network and the mobile station has detected that it is in a localized service area defined independently from cells (*Buhrmann, figures 1-4A, col 7 lines 1-67, col 8 lines 1-67, a mobile phone roaming across different user zones providing various featured services desirable to the owner's mobile phone, the services are stored in network database storage in different categories in the service profile database for respective user zones*);

a base station covering the localized service area generating information about the arrival of the mobile station in the localized service area (*Buhrmann, figures 1-3, col 7 lines 1-67, col 8 lines 1-67*); and

causing, at least in part, reception of a service selection localized based upon the localized service area and offered to said mobile station by a communications system including the base station providing (*Buhrmann, figures 1-3, col 7 lines 1-67, col 8 lines 1-67*).

Buhrmann does not teach the apparatus generates a message that is distinct from location updates performed be a GPS receiver when roaming. Lee teaches a roaming mobile phone storing databases of preferred channel systems in its memory, when it roams between systems, the mobile phone identifies its own location by comparing the location with stored information to identify a preferred system for the location then the network system providing preferred channels selections for the mobile phone to use in the corresponding location (*see Lee, col 1 lines 50-60, col 2 lines 23-35, col*

3 lines 5-25, col 6 lines 4-40), thus Lee discloses an apparatus generates a message that is distinct from location updates performed by a GPS receiver when roaming. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Buhrmann by incorporating teachings of Lee about a mobile phone roaming between systems and actively identifying its own current location for associating with its pre-stored preferred systems in its memory so when the mobile phone arrives in the location, the network provides it with its preferred channel system for communication, and this provides fast system access and registration for mobile phones when roaming in different areas in the network because the preferred system has been identified before the mobile phone originates a call by determining a location comparing with the database stored in the phone's memory (see Lee, the abstract, col 1 lines 1-67, col 2 lines 1-35).

**Consider claim 22,** (New) Buhrmann teaches a computer-readable storage medium carrying one or more sequences of one or more instructions which, when executed by one or more processors (Buhrmann, the abstract, col 10 lines 65-67), cause an apparatus to at least perform the following steps:

the apparatus is roaming in cells of a cellular radio network and that indicates the apparatus has detected that it is in a localized service area (Buhrmann, figures 1-4A, col 7 lines 1-67, col 8 lines 1-67, a mobile phone roaming across different user zones providing various featured services desirable to the owner's mobile phone, the services are stored in network database storage in different categories in the service profile database for respective user zones);

transmitting the message to a base station covering the localized service area (Buhrmann, figures 1-3, col 7 lines 1-67, col 8 lines 1-67); and

receiving a service selection localized based upon the localized service area and offered to the apparatus by a communications system including the base station (Buhrmann, figures 1-3, col 7 lines 1-67, col 8 lines 1-67).

Buhrmann does not teach the apparatus generates a message that is distinct from location updates performed by a GPS receiver when roaming. Lee teaches a roaming mobile phone storing databases of preferred channel systems in its memory, when it roams between systems, the mobile

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phone identifies its own location by comparing the location with stored information to identify a preferred system for the location then the network system providing preferred channels selections for the mobile phone to use in the corresponding location (see *Lee*, col 1 lines 50-60, col 2 lines 23-35, col 3 lines 5-25, col 6 lines 4-40), thus Lee discloses an apparatus generates a message that is distinct from location updates performed by a GPS receiver when roaming. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Buhrmann by incorporating teachings of Lee about a mobile phone roaming between systems and actively identifying its own current location for associating with its pre-stored preferred systems in its memory so when the mobile phone arrives in the location, the network provides it with its preferred channel system for communication, and this provides fast system access and registration for mobile phones when roaming in different areas in the network because the preferred system has been identified before the mobile phone originates a call by determining a location comparing with the database stored in the phone's memory (see *Lee*, the abstract, col 1 lines 1-67, col 2 lines 1-35).

**Consider claim 8**, (Currently Amended) A method of claim 7, Buhrmann, as modified by Lee, further teaches wherein in response to the detection of information about the arrival of the mobile station in the localized service area a predetermined additional service is offered to the mobile station (*Buhrmann*, col 2 lines 40-50, *additional services provided to the user from different user zones, e.g., traffic reports, weather warnings, advertisements*).

**Consider claim 9**, (Currently Amended) A method of claim 8, Buhrmann, as modified by Lee, further teaches wherein said additional service involves sending of announcements to the mobile station (*Buhrmann*, col 2 lines 25-55, col 7 lines 15-67).

**Consider claim 10**, (Currently Amended) A method of claim 7, Buhrmann, as modified by Lee, further teaches wherein in response to the detection of information about the arrival of a mobile station in the localized service area- the quantity of services offered to the mobile station by the communications system is reduced (*Buhrmann*, col 9 lines 1-62).

**Consider claim 11**, (Currently Amended) A method of claim 7, Buhrmann, as modified by Lee, further teaches:

causing, at least in part, transmission of a message indicating the arrival of a mobile station in the localized service area to a service server, for checking what services to be received at the mobile station in that localized service area (*Buhrmann, figures 1-4A, col 7 lines 1-67, col 8 lines 1-67, a mobile phone roaming across different user zones providing various featured services desirable to the owner's mobile phone, the services are stored in network database storage in different categories in the service profile database for respective user zones*); and

causing, at least in part, reception of the service at the mobile station (*Buhrmann, figures 1-4A, col 7 lines 1-67, col 8 lines 1-67*).

**Consider claim 12, (Currently Amended)** A method of claim 11, Buhrmann, as modified by Lee, further teaches wherein the request for the services offered is is transmitted to at least one or more application servers providing services, and each of the application servers provides one or more of the requested services to the mobile station (*Buhrmann, figures 1-4A, col 7 lines 1-67, col 8 lines 1-67, a mobile phone roaming across different user zones providing various featured services desirable to the owner's mobile phone, the services are stored in network database storage in different categories in the service profile database for respective user zones*).

**Consider claim 15, (New)** A method of claim 7, wherein the service selection comprises at least one push service (*Buhrmann, col 2 lines 40-50, services are tailored to the characteristics of a user zone, i.e., an advertisement service message is offered to a user in the zone*).

**Consider claim 16, (New)** A method of claim 7, wherein the message is either a short message service message, an unstructured supplementary service data message, or a dual tone multi-frequency-coded message (*Lee, col 4 lines 35-67*).

**Consider claim 17, (New)** A method of claim 7, wherein the message is sent to the base station in conjunction with a telephone call or a data call (*Lee, col 3 lines 5-25, col 4 lines 35-67*).

**Consider claim 18, (New)** A method of claim 7, wherein the server selection including a service of receiving announcements specific for the localized service area (*Buhrmann, col 7 lines 1-67, col 8 lines 1-65*).

**Consider claim 19, (New)** A method of claim 7, wherein the localized service area is an airport or a cafeteria (*Buhrmann, col 7 lines 1-67, col 8 lines 1-65*).

4. **Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Buhrmann et al. (US Patent No. 5,950,125)** in view of **Lee et al. (US Patent No. 5,974,328)** and further in view of **Alperovich et al. (US Patent No. 5,819,180)**.

**Consider claim 6, (Currently Amended)** Buhrmann, as modified by Lee, further teaches the apparatus is a mobile phone (*Buhrmann, col 7 lines 1-15*).

Buhrmann, as modified by Lee, does not teach the least one memory includes a removable memory. Alperovich teaches telecommunications network based upon mobile subscriber's location and discloses SIM card is used as a detachable memory for storing necessary subscriber information (see *Alperovich, col 1 lines 15-35, col 3 lines 5-40*), thus Alperovich discloses a removable memory unit, and therefore , it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Buhrmann, as modified by Takeshi, by combining teachings of Alperovich of a mobile device uses a SIM card as a removable memory unit for storing necessary information so make the mobile device replaceable when needed with the necessary information is still preserved and protected in the removable SIM card.

#### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY C. HO whose telephone number is (571)270-1108. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Huy C Ho/  
Examiner, Art Unit 2617

/Patrick N. Edouard/  
Supervisory Patent Examiner, Art Unit 2617